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Attorney for Defendant
Johnnie Tangha

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

vs.

JOHNNIE TANGHA, et. al.,
Defendants.

No. CR 01-20154 JF

[Proposed] Stipulated Continuance
of Sentencing Hearing and Order

This matter has been set for sentencing on April 21, 2011. Counsel for Mr. Tangha has represented to the Government and to U.S. Probation that he will be unavailable on that date. Mr. Rosenbush represents Moris Flores (U.S. v. Cerna et. al., CR 08-730 WHA) on a 60 count racketeering case (the "MS-13" case) which will begin trial on March 7, 2011. That case will be tried 5 days a week for 4-6 months. Due to Mr. Rosenbush's responsibilities preparing and trying that matter he will be unable to be prepared for sentencing by the currently set date. Mr. Rosenbush consulted with AUSA Shawna Yen, counsel for the Government, and with Benjamin Flores of the U.S. Probation Department who has been assigned responsibility for the pre-sentence report in this matter. Both are in agreement that under the circumstances it is best to convert Mr. Tangha's appearance before the Court on April 21, 2011 to a status conference rather than a sentencing hearing. Counsel for both parties, and U.S. Probation, will be in a position to set a realistic sentencing date at that time.

1 For the foregoing reasons it is stipulated by the parties, with the agreement of U.S.
2 Probation, that Mr. Tangha should appear before this Court on April 21, 2011, at the hour of 10
3 a.m., for a status conference regarding sentencing, and for setting of a sentencing hearing.

4 So stipulated:

5
6 Dated: January 26, 2011

_____/s/_____
AUSA Shawna Yen
Attorney for the United States

8
9 Dated: January 26, 2011

_____/s/_____
Mark Rosenbush
Attorney for Johnnie Tangha

10
11
12 ORDER

13 Good cause appearing therefore upon stipulation of counsel for both parties, and with the
14 agreement of the United States Probation Department;

15 It is hereby ordered that the previously set sentencing date of April 21, 2011 in this
16 matter shall be continued. Mr. Tangha shall appear as scheduled at 10:00 a.m. on that date for
17 the purpose of a status conference regarding sentencing, and for setting a new sentencing date.
18

19
20 Dated: 2/9/11



Hon. Jeremy Fogel
United States District Judge